

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,	)	No. _____
)	
Plaintiff,	)	COUNT ONE:
	)	21 U.S.C. § 841(a)
	)	NMT 30 years and/or \$2,000,000 fine
v.	)	Class B Felony
	)	Supervised Release - NLT 6 years
)	
AVERY GLASS,	)	COUNT TWO, THREE & FOUR:
[DOB: xx/xx/1974]	)	21 U.S.C. § 841(a)
	)	NLT 10 years and/or \$4,000,000 fine
	)	Class A Felony
Defendant.	)	Supervised Release - NLT 8 years
)	
	)	COUNT FIVE:
	)	18 U.S.C. § 922 (g)(1) and 18 U.S.C.
	)	§ 924(e)(1) and (2)(B)
	)	NMT 15 years and/or \$250,000 fine
	)	Class A Felony
	)	Supervised Release – NMT 5 years
)	
	)	COUNT SIX:
	)	18 U.S.C. § 924(c)
	)	NLT 5 years, consecutive to all other
	)	counts and/or \$250,000 fine
	)	Class A Felony
	)	Supervised Release – NMT 5 years
)	
	)	\$100 Mandatory Penalty Assessment
	)	as to each count

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about July 6, 2006, in Greene County, in the Western District of Missouri, Avery Glass, defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of cocaine base, a schedule II controlled substance, in an amount of less than five (5) grams, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT TWO

On or about July 19, 2006, in Greene County, in the Western District of Missouri, Avery Glass, defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of cocaine base, a schedule II controlled substance, in an amount of more than five (5) grams, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT THREE

On or about August 4, 2006, in Greene County, in the Western District of Missouri, Avery Glass, defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of cocaine base, a schedule II controlled substance, in an amount of more than five (5) grams, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT FOUR

On or about April 11, 2007, in Greene County, in the Western District of Missouri, Avery Glass, defendant herein, did knowingly and intentionally possess a mixture or substance containing a detectable amount of cocaine base, a schedule II controlled substance, in an amount of more than five (5) grams, with the intent to distribute, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT FIVE

Between February 23, 2007 and April 11, 2007, in Greene County, in the Western District of Missouri, Avery Glass, defendant herein, having been convicted:

1. On or about February 3, 1992, Avery Glass was convicted of the offense of robbery in the second degree in the Circuit Court for Boone County, Missouri;
2. On or about December 7, 1998, Avery Glass was convicted of the offense of two counts of distribution of a controlled substance in the Circuit Court for Boone County, Missouri; and,
3. On or about February 1, 1999, Avery Glass was convicted of the offense of institutional vandalism in the Circuit Court for Callaway County, Missouri,

each of which is a crime punishable by imprisonment for a term exceeding one year, and the first listed offense constitutes a violent felony offense, as defined by Title 18, United States Code Section 924(e)(2)(B), and the offenses listed in paragraph 2 each constitute a serious drug offense, as defined by Title 18, United States Code, Section 924(e)(2)(A), knowingly did possess, in and affecting commerce, a firearm, to wit: a Hi-point, nine millimeter semi-automatic pistol, and ammunition, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 924(e)(1) and (2)(A) and (B).

COUNT SIX

Between February 23, 2007 and April 11, 2007, in Greene County, in the Western District of Missouri, Avery Glass, defendant herein, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to

distribute cocaine base, as set forth in Count Four, and which is incorporated by reference herein, in relation to and in furtherance of such crime, did possess a firearm, to wit, a Hi-point, nine millimeter semi-automatic pistol, all in violation of Title 18, United States Code, Section 924(c)(1)(A).

A TRUE BILL

/s/ Foreperson
Foreperson of the Grand Jury

5/9/07 /s/ James J. Kelleher
James J. Kelleher
Missouri Bar No. 51921
Special Assistant United States Attorney